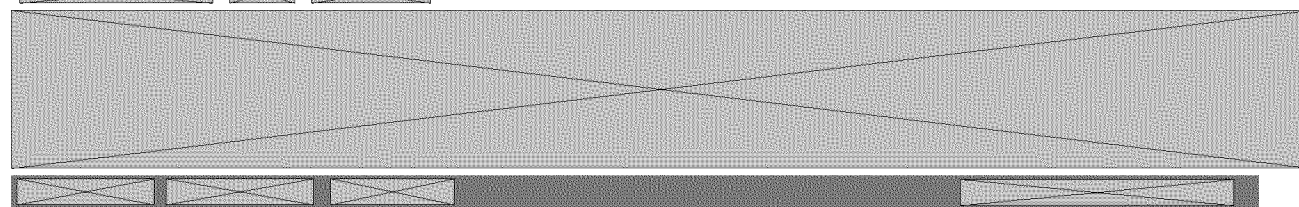


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October 26, 2015 - Number 206

## MY HEADLINES

### 'Balanced' Bonn Text Could Form Basis for Paris Climate Pact

The final round of United Nations climate negotiations before a summit late this year in Paris to produce the world's first global climate agreement closed Oct. 23 with what the UN's top climate official called a "balanced and manageable" negotiating text that nonetheless left 1,500 unresolved questions.

(Topic: climate change)

### 'Strong Basis' for Limiting Some Solvents' Uses: SAB

The scientific data the Environmental Protection Agency has gathered and analyses it has conducted provide a solid foundation for the agency to consider whether it should propose regulations limiting uses of three solvents, the Science Advisory Board said in an Oct. 22 letter.

(Agency: Environmental Protection Agency)

### A Review of 2015 Energy Tax Developments

Technological advances and other changes in the energy industry have prompted a closer examination into energy taxation in recent years as the industry expands from a reliance on traditional fossil fuels to include renewable energy resources. Legislative and regulatory guidance has had to adapt to keep up with these changes as governments seek to find the optimal tax regime to maximize revenues while promoting economic growth.

(Topic: air pollution; Topic: climate change; Topic: environmental legislation; Topic: oil and gas)

### Administration Won't Seek Binding Carbon Cuts in Accord

President Barack Obama's administration is "not seeking" legally binding emissions targets as part of an international agreement on climate change in Paris, the State Department told Sen. Bob Corker (R-Tenn.).

(Topic: climate change)

### Alabama Settles Spill Suit With Transocean For \$20M

Alabama received \$20 million in a settlement with oil rig operator Transocean related to the company's involvement in the 2010 Gulf of Mexico oil spill, the state's attorney general and governor announced.

(Topic: oil and gas)

### Alcoa Gets Water Quality Certification for N.C. Project

hydroelectric Project, allowing it to proceed with obtaining a long-term operating

### Majority of States Challenge EPA's Clean Power Plan Upon

(Topic: water pollution)

A majority of states and senior congressional leaders take immediate steps to block the EPA's suite of carbon dioxide standards for power plants as soon as they were published in the Federal Register. At least 26 states as well as coal giant Murray Energy Corp., the U.S. Chamber of Commerce and several other industry groups and unions file challenges to the Clean Power Plan, which sets carbon dioxide emissions standards for existing power plants in each state. Additionally, key congressional leaders announced plans to block the rule through the Congressional Review Act. [More »](#)

### Effort to Strip West Virginia NPDES Authority Denied

The U.S. Court of Appeals for the Fourth Circuit declined to order the Environmental Protection Agency to respond to demands by environmental groups that West Virginia be stripped of its NPDES authority. The court's decision comes after the agency's application for a Clean Water Act dredge-and-fill permit and suggestion that a local developer's property be used as wetlands mitigation resulted in a taking, the state supreme court ruled (Ward Gulfport Props., LP v. Miss. State Highway Comm'n, 2015 WL 347651, Miss. No. 2014-LA-01001-SC, 10/22/15).

(Topic: wetlands)

EPA Lists Some Changes for Ammonia Assessment  
The U.S. Environmental Protection Agency announced today that it will expand its ammonia risk information system assessment of ammonia, the Environmental Protection Agency will expand the document's discussion of ammonia produced within the human body, EPA Administrator Gina McCarthy said in a letter to a Science Advisory Board committee. McCarthy's letter to the SAB House Republicans introduce a joint resolution of disapproval for the EPA's to recently revised national ozone standards, the first step in a Congressional Review Act challenge to the rule. Rep. Walorski, who introduced the resolution, calls the EPA's more stringent ozone standards "crippling." [More »](#)

### EPA Testing New Way to Measure Air Pollution Emissions

The Environmental Protection Agency is testing a computer program that works with infrared pollution detection cameras to measure pollution emissions rates. Philip E. Bock, director of the agency's Environmental Enforcement Office, said the agency is testing the program at a mine in southwest Colorado where the EPA triggered a 3-million-gallon spill of mining waste and sediment says a recent Interior Department review shows the source of the contaminated water was not his, but another mining facility. The report says groundwater conditions in the upper reaches of the creek

where Gold King is located had been "significantly altered" by extensive underground mine workings, "the extension of the American Tunnel to the Sunnyside Mine, and the subsequent plugging of the American Tunnel," which is also owned by Kinross. [More »](#)

The three federal agencies regulating genetically modified (GM) crops have to modernize their approach by July 2016, and will hold the first public meeting on the effort Oct. 30. The White House in July ordered the Agriculture Department, the Environmental Protection Agency and the Food and Drug Administration to overhaul a coordinated framework for evaluating biotechnology because advances in science have led to products that weren't possible when the system was first established in 1992. Planned revisions to the EPA's regional haze regulations would allow states to coordinate their planning with compliance efforts under other air rules, an agency attorney says. The EPA is working on a proposed rule that would extend the deadline for states to submit a revised regional haze plan from July 31, 2018, to July 31, 2021. That proposal is scheduled to be released by December. [More »](#)

### Gold King Mine Spill Sparks Hearings, Not Lobbying

The 3-million-gallon toxic mining waste spill in Colorado triggered by an Environmental Protection Agency contractor has prompted a flurry of Capitol Hill hearings and legislation but mining is lobbying. The spill prompted a letter from the EPA to the company's purchase contract for property abutting an Erie Canal Superfund Site, New York's top court rules. The letter from the New York Department of Environmental Conservation notified Remet it was potentially responsible for contamination at the state Superfund site, and that was enough to satisfy a section of the state's Superfund law that indemnified only required environmental costs, the New York Court of Appeals says. [More »](#)

(Topic: wastewater; Topic: water pollution; Agency: Environmental Protection Agency)

The EPA is testing a computer program that works with infrared pollution detection cameras to measure pollution emissions rates. EPA inspectors over the past five years have used infrared imaging cameras to detect pollution at various regulations would allow states to coordinate their planning with compliance efforts

## HIGHLIGHTS

Topic: air pollution, Topic: environmental regulation, Agency: Environmental Protection Agency

Topic: air pollution, Topic: environmental regulation, Agency: Environmental Protection Agency

### House Republicans Seek to Block Ozone Rule

House Republicans have introduced a joint resolution of disapproval over the Environmental Protection Agency's recently revised national ozone standards, the first step in a Congressional Review Act challenge to the rule.

Topic: air pollution, Topic: environmental regulation, Agency: Environmental Protection Agency

### Majority of States Challenge EPA's Clean Power Plan

A majority of states and senior congressional leaders took immediate steps to block the Environmental Protection Agency's suite of carbon dioxide standards for power plants as soon as they were published in the Federal Register.

Topic: air pollution, Topic: climate change, Agency: Environmental Protection Agency

### Moeller: Next FERC Challenge is Integrating Renewables

Philip Moeller is taking advice to the Federal Energy Regulatory Commission the week of Oct. 26 and, serving as commissioner for nearly 10 years, beginning in 2006, looking into the future. Moeller sees integrating renewables onto the grid as the next challenge for FERC in the wholesale energy markets and for states in the retail energy markets. He said during an in-person interview with Bloomberg BNA's Rebecca Kern.

Agency: Environmental Protection Agency

### Curkowsky Asks GAO to Look at Oil Exports to Canada

The Senate's main champion of lifting the ban on most crude oil exports has added a new oil trade test to her to-do list, overhauling the 30-year-old process governing oil exports to Canada.

Topic: oil and gas

### N.C. Proposes Sewer Air Pollution Permit Exemptions

North Carolina is proposing to exempt small sources of air pollution from state permitting requirements.

Topic: air pollution

### Nations Back Post-2020 Tightening of Paris Climate Pact

Talks in Bonn toward the first broad international climate change agreement concluded Oct. 23 with negotiators endorsing a way to repeatedly strengthen efforts to combat climate change every few years after 2020 without reopening the accord, which the United Nations hopes to broker late this year in Paris.

Topic: climate change

### North Dakota Approves Credits for Gas Flaring Reduction

The North Dakota Industrial Commission Oct. 22 voted to offer flaring credits to oil producers who are able to meet the state's natural gas flaring reduction goals.

Topic: air pollution, Topic: oil and gas, State: North Dakota

### AA Downgrade Said to Show Impact of Climate Concerns

Environmental and climate risks are increasingly affecting corporate credit ratings. As the example of Volkswagen AG's downgrade this month demonstrates, rating agency Standard & Poor's said in a report.

Topic: climate change

## Publication

'Balanced' Bonn Text Could Form Basis for Paris Climate Pact

House Republicans Bring Resolution to Block Ozone Rule

Owner Says Gold King Mine Water Came From Another Site

EPA to Change Haze Deadline to Allow Coordinated Planning



## Superfund Notice Held to Trigger Indemnity Clause

## EPA Testing New Way to Measure Air Pollution Emissions

sites, including large internal floating roof tanks, a type of storage tank for petroleum products. [More »](#)

## VW Credit Downgrade Said to Show Impact of Climate Concerns

Environmental and climate risks are increasingly affecting corporate credit ratings as the example of Volkswagen AG's downgrade this month demonstrates, rating agency Standard & Poor's says. The rating company identifies 299 cases in which environmental and climate developments were a significant factor in influencing a revision or rating analysis. [More »](#)

## 'Strong Basis' for EPA Limiting Some Solvents' Use, SAB Says

The scientific data the EPA has gathered and analyses it has conducted provide a solid foundation for the agency to consider whether it should propose regulations limiting uses of three solvents, the Science Advisory Board says. The proposed rules would address consumer product and some limited other uses of trichloroethylene, n-methylpyrrolidone and methylene chloride. [More »](#)

## European Commission Considers Restrictions for Textiles

The European Commission intends to use a fast-track procedure under the European Union's REACH regulation to establish a restriction that could affect about 300 hazardous chemicals that might be present in textiles. The commission, the EU's executive arm, says the use of such a wide-ranging restriction for textiles was a "first test-case." [More »](#)

## North Dakota Approves Credits for Gas Flaring Reduction

The North Dakota Industrial Commission votes to offer flaring credits to oil producers who are able to meet the state's natural gas flaring-reduction goals. The credit program, which will take effect Nov. 1, will allow producers who exceed the goals to "bank" the volume of gas by which they have exceeded the goals for three months. If they then later exceed the goals, they can use the banked volumes to remain in compliance with the state's goals. [More »](#)

## **ALSO IN THE NEWS**

### AIR POLLUTION:

North Carolina proposes to exempt small sources of air pollution from state permitting requirements. [More »](#)

### FORESTS:

Maryland localities may require developers to protect more forest than state law requires even if the state conservation agency objects, Maryland Attorney General Frosh says in an advisory opinion. [More »](#)

## **INTERVIEW**

### ENERGY:

FERC Commissioner Moeller speaks about his guiding principles during his tenure as the second-longest serving commissioner, including efforts to spot trends for the commission to address before they become crises as he prepares to leave the commission. [More »](#)

## **SPECIAL REPORT**

### ENERGY:

Technological advances and other changes in the energy industry prompt a closer examination into energy taxation in recent years as the industry expands from a

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